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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Charles William Rowe et al.
Application No. : 09/991,556
Filed : November 21, 2001
For : PRINTING OR DISPENSING A SUSPENSION SUCH AS THREE-DIMENSIONAL PRINTING OF DOSAGE FORMS

Examiner : Susan Tran
Art Unit : 1615
Docket No. : 900122.437
Date : April 10, 2003

Commissioner for Patents
Washington, DC 20231

#7
6/9/98
4-16-03

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated March 10, 2003, Applicants hereby provisionally elect, with traverse, Group I, claims 1-10 for examination at this time.

Claims 1-10 are directed toward a dosage form using solid free form fabrication to create a porous or solid matrix with an active pharmaceutical ingredient distributed therein. Claims 11-27 and 37 are directed toward a method of manufacturing such dosage form including steps for use in solid free form fabrication. Applicants respectfully submit that a single search directed to the subject matter of claims 1-10 would necessarily reveal art directed to the subject matter of claims 11-27 and 37. Therefore, consideration of both groups would not be unduly burdensome on the Examiner.

We respectfully submit that all of the solicited claims must be examined on the merits because the examination of all claims would not constitute a serious burden (*See* MPEP § 803). Applicants note that claims in Groups III, IV and V are similarly directed toward variations of using solid free form fabrication to make dosage forms or biomedical articles and that the examination of all of the Groups would require no more than three class/sub-class combinations be searched, which Applicants respectfully submit does not rise to the level of "serious burden" as required under the rules. Conversely, the five-way restriction requirement does impose a serious burden on the Applicants due to the additional time and expense involved with filing and prosecuting five separate divisional applications. Therefore, we respectfully request that the restriction requirement be reconsidered and withdrawn.

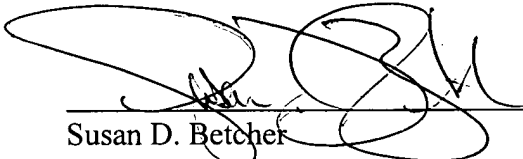
The Applicants provisionally elect claims 1-10 (Group I) for further examination pending the reconsideration of the restriction requirement. Claims 11-27 and 37 (Group II), claims 28-36 (Group III), claims 38-49, 51 and 52 (Group IV), and claims 49-53 (Group V) are pending in this application but not have been provisionally elected for further prosecution at this time pending reconsideration of the restriction requirement by the Office.

The Examiner is invited to call Applicants' undersigned counsel to discuss any issues that can be expeditiously resolved over the telephone during prosecution of the application.

Respectfully submitted,

Charles William Rowe et al.

Seed Intellectual Property Law Group PLLC



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Enclosure:

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Application Number	09/991,556
Filing Date	November 21, 2001
First Named Inventor	Charles William Rowe
Group Art Unit	1615
Examiner Name	Susan Tran
Attorney Docket No.	900122.437


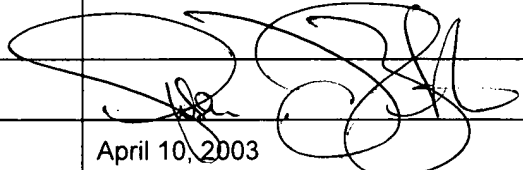
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Susan D. Betcher	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	April 10, 2003	

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